



**Agenda Item Number: 2006-1-7A**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** January 24, 2006

**DEFERRED FROM THE DECEMBER 13, 2005 ADMINISTRATIVE MEETING**

**Department:** Zoning, Building, Planning & Environmental Health  
**Staff Contacts:** Julie M. Baca, Deputy County Manager for Community Services  
Robert J. Garcia, EH, Technical Review Manager

**TITLE:** Ordinance amending Chapter 42, Article IV, Division 10 of the Bernalillo County Code, Wastewater Systems, for consistency with State of New Mexico Liquid Waste Regulation

**ACTION:** Convene a Public Hearing.  
Motion to approve **Ordinance 2006-** amending Bernalillo County Code Chapter 42, Article IV.

**SUMMARY:**

On December 13, 2005, the Board deferred adoption of proposed amendments to Chapter 42 of the County Code, repealing the Wastewater Systems division and replacing it with new Wastewater language. The purpose of the deferral was to allow time for discussion of the amendments with concerned residents. A meeting was held to review the amendments with the Sandia Heights Homeowners Association on January 11, 2006. A summary of the matters discussed in that meeting is attached. No further revisions to the text of the proposed ordinance resulted from that meeting.

The proposed amendments were approved for publication on November 8, 2005. The amendments were prepared in response to new state regulations dealing with liquid waste disposal. For consistency with these new regulations the Office of Environmental Health proposes to repeal Chapter 42, Article IV, Division 10 of the Wastewater Systems Ordinance and replace it with a new Ordinance that will:

- Bring the County code into compliance with the new State of New Mexico Liquid Waste Regulations that became effective in September 2005.
- Establish minimum requirements for graywater systems.
- Establish soil infiltration rates identical to State regulations.
- Establish Low Pressure Dosed Disposal System requirements.
- Require monitoring of secondary or tertiary wastewater treatment systems.

The Office of Environmental Health has held five public meetings throughout the County. Comments were also received from private citizens, state and local agencies and industry professionals.

Comments and responses received since introduction are attached. Recommended revisions to the proposed ordinance based on comments are shown in italics. The County Attorney's office has also recommended revisions dealing with enforcement and permitting as noted in attachment 2.

**ATTACHMENT:**

1. **Ordinance 2006-\_\_\_\_\_**.
2. Comments received and responses.
3. Questions discussed at January 11th meeting

## **FISCAL IMPACT**

There will be no fee change with this new Ordinance; therefore no fiscal impact is anticipated.

## **STAFF ANALYSIS SUMMARY**

### **COUNTY MANAGER**

With the recent changes to State law regarding liquid waste regulations, the County code must be brought into compliance. Staff met with the community to discuss the proposed revisions and no changes were recommended. I recommend Board approval. TL 11/2/05

### **DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES**

The amendments are necessary to bring County rules in line with State laws for wastewater systems. I recommend approval. Julie Baca 10/24/05

### **DEPUTY COUNTY MANAGER FOR PUBLIC WORKS**

The Public Works Division will endeavor to ensure that the language in the graywater requirements of the proposed wastewater ordinance supports water conservation recommendations that will be forthcoming in early 2006. Public Works staff will seek to resolve concerns regarding graywater regulations in the next month. In the future, water conservation policies as adopted by the Bernalillo County Commission may require that the wastewater ordinance be revised. TW 10/26/05

### **LEGAL**

The State's adoption of new regulations for the placement and monitoring of wastewater systems necessitated the proposed amendments to the Wastewater Ordinance. The amendments bring our ordinance in line with State requirements. PFT 10/11/05

### **FINANCE**

<b>Budget</b>	Approval of the new "Wastewater Systems Ordinance" will have no fiscal impact. Geri Maestas, Budget Analyst Sr. 11/10/05
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